

REMARKS

The last Office Action of March 18, 2008 has been carefully considered. Reconsideration of the instant application in view of the foregoing amendments and the following remarks is respectfully requested.

Claims 1-8 are pending in the application. Claims 1, 2, 6 and 7 have been amended only to address the formal Objections and to correct typographical errors. No substantive amendments relating to patentability have been made. No amendment to the specification has been made. No fee is due.

OBJECTION TO THE SPECIFICATION

Applicant has carefully reviewed the Specification and cannot find support for the Examiner's assertion that "the specification is replete with grammatical and idiomatic errors too numerous to mention specifically."

Applicant had addressed the specific objections listed under (6) to (8). The Examiner is invited, however, to point at least to some of the other alleged deficiencies, enabling the Applicant to correct these deficiencies.

Paragraph [0008] has been amended to provide a definition of "GPS", although GPS is a commonly recognized and widely used term not subject to interpretation.

Regarding the use of the term "PFST" value, the term PFST value is well understood in the art and described in the NMEA (National Marine Electronics Association) protocol standard. Examiner is referred to this manual for a better understanding of the various GPS communication protocols. An abbreviated definition of the "PFST" value is also given in paragraph [0038] of the original specification. The term PFST is not recited in the claims.

Applicant further submits that qualifiers in claim language may be required if use of a term can result in ambiguity. However, it is amply clear that "the synchronization signal" refers back to "a temporally periodic synchronization signal". To assuage the Examiner's concerns about unenforceability of the patent, applicant

has amended claims 2 and 7.

CLAIM REJECTIONS – 35 U.S.C. §102

Claims 1–8 stand rejected under 35 U.S.C. §102(b) as being anticipated by Tanaka (US Patent 5,781,539).

Claim 1 recites a method of executing a measurement or control action by generating a temporally periodic synchronization signal by a receiver based on a timing reference signal, dividing the temporally periodic synchronization signal by a switching frequency generated by a timing generator into a plurality of switching intervals, and associating a switching command to each of the switching intervals to trigger an associated switching process of the measurement or control action.

Claim 7 is directed to a controller configured to execute the method.

Tanaka discloses a paging system capable of calling pagers of different bit rates. Satellite signal receiving means receive a satellite signal transmitted from an artificial satellite and containing time instant information. Tanaka then employs frequency dividers 62₁ to 62₃, wherein the first frequency divider 61₁ has a dividing ratio selected so that the output signal of the quartz oscillator 61 is frequency-divided to produce first reproducing clock pulses 63₁ corresponding to the first bit rate. Likewise, the second frequency divider 62₂ and the third frequency divider 62₃ have dividing ratios selected so as to produce second and third reproducing clock pulses 63₂ and 63₃ corresponding to the second and the third bit rates, respectively. (col. 8, lines 51–67, cited in the office action).

A “frequency divider” is defined as: “A harmonic conversion transducer in which the frequency of the output signal is an integral submultiple of the input frequency. Also known as counting-down circuit.” (McGraw-Hill Dictionary of Scientific and Technical Terms, 5th edition, 1994). In other words, a frequency divider is an electronic circuit that takes an input signal with a frequency, f_{in} , and generates an output signal with a frequency $f_{out} = \frac{f_{in}}{n}$, where n is an integer.

Tanaka divides the frequency generated by timing generator 61 into a plurality of (lower) frequencies, which is entirely different from "dividing the temporally periodic synchronization signal by a switching frequency generated by a timing generator into a plurality of switching intervals", as recited in claims 1 and 7. It can be easily seen that the resulting switching intervals have a significantly higher frequency than the temporally periodic synchronization signal produced by a receiver based on a timing reference signal.

To restate this point: Claims 1 and 7 do not recite any frequency division of the type disclosed by Tanaka. Tanaka therefore does not disclose at least "*dividing the temporally periodic synchronization signal by a switching frequency generated by a timing generator into a plurality of switching intervals*", and therefore does not teach or suggest each and every element and/or feature recited in claims 1 and 7. Claims 1 and 7 are therefore not anticipated by Tanaka and hence patentable over Tanaka.

Claims 2-6 which depend from claim 1, and claim 8 which depends from claim 7, are then also patentable for at least the reasons that claims 1 and 7 are patentable.

Withdrawal of the rejection of claims 1-8 under 35 U.S.C. §102(b) and allowance thereof are thus respectfully requested.

INFORMATION DISCLOSURE STATEMENT

It is noted that the Examiner has not considered the German reference DE 196 13 734, DE 693 07 956, DE 198 47 665, DE 198 41 262, as submitted with applicant's Information Disclosure Statement of December 4, 2006, because no concise explanation had been given. Applicant respectfully disagrees. The Examiner's attention is drawn to pages, 3 and 4, of the Information Disclosure Statement, which provide a concise explanation of the involved references. The Examiner provided no reasoning why the respective explanations of the references are not sufficient, other than by stating that "*it does not include a concise explanation*". It is thus applicant's contention that the minimum requirements pursuant to 37 C.F.R. 1.56 (c) have been met and the examiner has an obligation to

consider the information. For the reasons set forth, applicant respectfully requests that the Examiner reconsiders his refusal and considers the submitted information.

Applicant submits herewith a new form PTO-1449. The Examiner is requested to initial the attached form PTO-1449 and to return a copy of the initialed document to the undersigned as an indication that the reference has been considered and made of record.

With respect to DE 693 07 956, it is noted that the counterpart to this reference is U.S. Pat. No. 5,548,562 which has now been listed in PTO-1449 as well.

CONCLUSION

In view of the above presented remarks and amendments, it is respectfully submitted that all claims on file should be considered patentably differentiated over the art and should be allowed.

Reconsideration and allowance of the present application are respectfully requested.

Should the Examiner consider necessary or desirable any formal changes anywhere in the specification, claims and/or drawing, then it is respectfully requested that such changes be made by Examiner's Amendment, if the Examiner feels this would facilitate passage of the case to issuance. If the Examiner feels that it might be helpful in advancing this case by calling the undersigned, applicant would greatly appreciate such a telephone interview.

Respectfully submitted,

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